

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TOMMIE SLACK,

Petitioner,

v.

DOUG WADDINGTON,

Respondent.

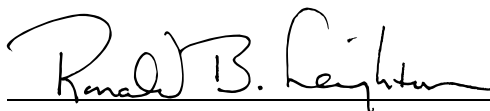
Case No. C05-5664RBL

ORDER DISMISSING PETITION

The Court, having reviewed the petition for *habeas corpus*, the Report and Recommendation of Judge Karen L. Strombom, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's federal *habeas corpus* petition is **DISMISSED**.
- (3) Petitioner's Motion for Release [Dkt. #10] is **DENIED**.
- (4) For the reasons stated in the Report and Recommendation, this Court declines to issue a Certificate of Appealability because the petitioner has failed to make "a substantial showing of the denial of a constitutional right." 26 U.S.C. § 2253(c)(2).
- (5) The Clerk is directed to send copies of this Order to petitioner and to Judge Strombom.

DATED this 31<sup>st</sup> day of March, 2006.



RONALD B. LEIGHTON

UNITED STATES DISTRICT JUDGE